

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Telangana State - Komuram Bheem Asifabad District – Issue of Agency Area Local ST Certificates under G.O. Ms.No.24 of dated 12.6.2018 of TW (LTR.1) Department – Not genuine of Local Scheduled Tribe Agency Area certificate by the Project Officer, ITDA, Utnoor, Adilabad District. vide Lr.Rc.No. T1/410/2022, dated .08.2022 - Appeal filed by Jadhav Nirmala, D/o.Takuram, R/o.Ashepally Village of Jainoor Mandal, Komuram Bheem Asifabad District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.16

Date: 18.06.2022,
Read the following:-

1. G.O. Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Lr.Rc.No. T1/410/2022, dated .08.2022 of the Project Officer, ITDA, Utnoor, Adilabad District.
3. Appeal petition filed by Jadhav Nirmala, D/o.Takuram, R/o. Ashepally Village of Jainoor Mandal, Komuram Bheem Asifabad District, Dated 23.02.2022.
4. Govt.Memo No.380/TW.LTR/2022, Dated 16.03.2022.
5. Govt.Memo No.380/TW.LTR/2022, Dated 16.03.2022.
6. Lr.Rc.No.C2/448/2021, Dated 24.03.2022 of District Collector, Komuram Bheem Asifabad District.

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders issued in the reference 1st read above, the Project Officer, ITDA Utnoor, Adilabad District vide his Letter in the reference 2nd read above, addressed to the District Collector, Komuram Bheem Asifabad District has communicated following findings of the Scrutiny Committee in respect of the Appellant Jadhav Nirmala, D/o.Takuram, R/o.Ashepally Village of Jainoor Mandal, Komuram Bheem Asifabad District as per provisions of G.O. Ms.No.24, TW (LTR.1) Department, dt.12.06.2018.

- According to the applicant's family tree, there is not matched the relationship in between their elder father and himself. Because of his elder father date of birth is 1930 and his father date of birth is 1968, approximately 38 years excess in between the applicant's father, hence the family tree is not matched.
- As per voter list in 1977 Rathod Maroni Bai, W/o.Lalsingh enrolled in serial number 570 and Sri Balu, S/o.Lalsingh enrolled in serial number 571. They belong to Rathod Surname. But only the applicant belongs to Jadhav Surname. Hence, Rathod and Jadav both are different surnames.
- According to the namuna No.4 (choupasla) of Ushegaon village of Jainoor Mandal, Sri Sakru, S/o.Lalsingh is recorded as pattedar in Sy.No.1.
- As per the pahani for the year 2012-13, Smt.DuriBai, W/o.Tukaram is recorded as pattedar survey number 91/387 situated at Ashepally village of Jainoor Mandal.
- The applicant LST certificate is not accepted.

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3. Aggrieved by the above findings of the Scrutiny Committee, the Appellant Jadhav Nirmala D/o.late Tukaram, R/o H.No.3-99, Nandu Naik Thanda, Ashepally village of Jainoor Mandal, Komurum Bheem Asifabad District has submitted a representation in the reference 3rd read above before the Government on 23.2.2022 stating that she is the local ST candidate of Ashepally agency village and provisionally selected to the post of School Assistant (Hindi) under Agency Area Scheduled Tribe category of Komuram Bheem Asifabad District vide Hall Ticket No.1752201569. Her local ST certificate bearing No.C/71/2009, dated 8.8.2018 was subjected to enquiry by the Project Officer, ITDA, Utnoor who without considering evidences produced by her resolved for rejection of her local ST status and also cancellation of her Local ST Agency Area Certificate. In support of her claim, the Appellant Jadhav Nirmala has submitted the following documents:

- i) As per Family Tree mentioned by the Appellant - Vasram is great grandfather who has four sons namely Valu, Bhasu (great grandfather of appellant), Baliram and Bhojju. Bhasu i.e. great grandfather of the appellant has four sons namely Lalsingh (grandfather of appellant), Kistu, Bhikku and Harichand. Lalsingh i.e. grandfather of appellant has six sons and five daughters namely 1) Sakru 2) Manglibai 3) Seetabai 4) Sakribai 5) Lingu 6) Rangubai 7) Balu 8) Somla 9) Bheema 10) Shanubai 11) Tukaram (youngest son and father of appellant). Sri Tukaram i.e. father of appellant has four children 1) Dharamsingh (son) 2) Nirmala (daughter and appellant) 3) Vimala (daughter) and 4) Premsingh (son).
- ii) Endorsement of Tahsildar, Jainoor on the representation of the Tahsildar, Jainoor that the Teensal pahani is not available in the office.
- iii) Copy of Namuna No.4 – Takhta Choufasla – Ashepally village – issued by Deputy Tahsildar, Utnoor – translated by K.Raja Ram, Ex-Patwari, Narnoor Mandal & Expert in Modi Language Reading and Translation, Narnoor – wherein name of eldest paternal uncle of Appellant namely Sakru, S/o Lal Singh was recorded in Sy.No.1 PP for an extent of acs.25.00.
- iv) Copy of pahani for the year 1963-64 – recorded name of Sakru, S/o.Lalsingh for an extent of acs.10.00.
- v) Copy of pahani for the year 1968-69 – recorded name of Sakru, S/o.Lalsingh for an extent of acs.12.00.
- vi) Copy of pahani for the year 1969-70 – recorded name of Lingu, S/o.Lalsingh (2nd paternal uncle) for an extent of acs.15.00.
- vii) Copy of pahani for the year 1970-71 – recorded name of Balu, S/o.Lalsingh (3rd paternal uncle) for an extent of acs.6.00.
- viii) Copy of pahani for the year 1981-82 – recorded names of her father Tukaram and her paternal uncles Bheema and Somla.
- ix) Copy of pahani for the year 1985-86 – recorded names of her father Tukaram and her paternal uncles Bheema and Somla in Sy.No.91 @ 5.00 acres each.
- x) Copy of pahani for the year 1988-89 – recorded names of her father Tukaram and her paternal uncle Bheema in Sy.No.57 for the extents of acs.5.00 and acs.4.29 respectively.
- xi) Copy of pahani for the year 1990-91 – recorded names of her father Tukarm and her paternal uncles Somla and Bheema for the extents acs.3.15 gts, acs.2.19 gts and acs.4.06 gts respectively.
- xii) Copy of pahani for the year 1994-95 – recorded name of her father Tukaram for an extent of acs.5.00 in Sy.No.91 along with her paternal uncles Bheema and Somla for other extents in the same Sy.No.91.

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- xiii) Copy of pahani for the year 2000-01 – recorded name of her father Tukaram for an extent of acs.3.15 gts in Sy.No.91/387.
- xiv) Copy of pahani for the year 2007-08 – recorded name of her mother Duribai (in place of her late father Tukaram) for an extent of acs.3.15 gts in Sy.No.91/387.
- xv) Copy of pahani for the year 2012-13 – recorded name of her mother Duribai (in place of her late father Tukaram) for an extent of acs.3.15 gts in Sy.No.91/387.
- xvi) Copy of RoFR Title Deed for an extent of acs.7.080 in Ashepally village.
- xvii) Copy of Pahani for 1422 Fasli (2012 year) – shows name of her mother Jadhav Duribai, W/o.Tukaram for an extent of acs.5.20 gts in Sy.No.57/2 of Ashepally village.
- xviii) Copy of letter No.RK/623/2019, dt.30.12.2019 issued by Naib Tahsildar, Boath Mandal that the Voter list of Ashepally village of Jainoor Mandal for the period from 1951 to 1960 are not available. (Ashepally village, Jainoor Mandal was previously in Boath Assembly Constituency now falling in Khanapur ST Assembly Constituency).
- xix) Voter list of 243 Khanapur Assembly Constituency, 1977 –Part No.120 – village: Ashepalli – Sl.No.570 – Rathod Maronibai, W/o.Lalsingh (her paternal grandmother), Sl.No.571 – Balu, S/o Lalsingh (her paternal uncle), Sl.No.572 – Heerabai, W/o Balu, Sl.No.573 – Linga, S/o.Lalsingh (her paternal uncle), Sl.No.574 – Somla, S/o.Lalsingh (her paternal uncle). She states that surname of her paternal grandmother was erroneously recorded as Rathod Maroni, W/o.Lalsingh instead of Jadhav Maroni, W/o.Lalsingh at Sl.No.570 – however, this was rectified by the authorities by rightly recording as Jadhav Maroni W/o Lalsingh from the Voter List of 1993 of 243 Khanapur ST Assembly Constituency.
- xx) Voter list of GP Ashepally village for the year 1986 – Sl.No.587 – Maronibai, W/o.Lalsingh (paternal grandmother), Sl.No.588 – Somla, S/o.Lalsingh (paternal uncle), Sl.No.589 – Gangibai, W/o.Somla, Sl.No.590 – Bheema, S/o.Lalsingh (paternal uncle), Sl.No.591 – Paribai, W/o.Bheema, Sl.No.592 – Tukaram, S/o.Lalsingh (father), Sl.No.593 – Duribai, W/o.Tukaram (mother).
- xxi) Voter list of 243 Khanapur (ST) Assembly Constituency, 1993 – Polling Station No.23 – Ashepalli village – Sl.No.283 – Jadhav Marunibai, W/o.Lalsingh (mother of appellant), Sl.No.284 – Jadhav Somla, S/o.Lalsingh (paternal uncle), Sl.No.285 – Jadhav Gangibai, W/o.Somla, Sl.No.286 – Jadhav Bheema, S/o.Lalsingh (paternal uncle), Sl.No.287 – Jadhav Parubai, W/o.Bheema, Sl.No.289 – Jadhav Tukaram, S/o.Lalsingh (father of appellant), Sl.No.290 – Jadhav Duribai, W/o.Tukaram (mother of appellant). Sl.No.291 – Jadhav Lingu, S/o.Lalsingh (paternal uncle), Sl.No.292 – Jadhav Kalabai, W/o.Lingh, Sl.No.293 – Jadhav Balu, S/o.Lalsingh (paternal uncle), Sl.No.294 – Jadhav Heerabai, W/o.Balu, Sl.No.295 – Jadhav Vasantharao, S/o.Balu, Sl.No.296 – Jadhav Subhas, S/o.Balu.
- xxii) Nativity Certificate dt.3.8.2018 issued by Tahsildar, Jainoor – certified that she is native of Ashapalle village.
- xxiii) Community and Date of Birth Certificate dt.27.11.2017 issued by Tahsildar, Jainoor – certified that she belongs to ST Lambadis community and resident of Ashapalle village, date of birth as 5.3.1987.
- xxiv) Residence Certificate dt.15.3.2014 issued by Tahsildar, Jainoor – certified that she is a resident of Ashapalle at D.No.3-99 – Locality: NanduNaik Thanda, Jainoor Mandal.

- xxv) Agency Area Local ST Certificate dt.8.8.2018 – issued by Tahsildar, Jainoor – certified that she and her parents/grandparents have been continuously residing at Nandu Naik Thanda, H/o.Ashepally since 26.1.1950, which is a notified scheduled village.
- xxvi) Copy of Verification of Local Scheduled Tribe Certificate – wherein it was certified by the Tahsildar, Jainoor that she belongs to Lambada ST community and that the local ST certificate issued by the Tahsildar, Jainoor is genuine as they have been living continuously at Nandu Naik Thanda, H/o.Ashapally (notified) village of Jainoor Mandal.
- xxvii) Declaration by Sri KambleJala and Sri Survamsi Viswanath witnessed by Rathod Hari, Rathod Meghaji and Kamble Venkati of Ashepally village, recorded by Tahsildar, Jainoor and Field Officer, TW Department – wherein it was declared that she and her forefathers have been continuously living in Nandu Naik Thanda from 1960 and before that lived in Jendaguda, H/o.Jamgaon.
- xxviii) Copy of report bearing ref.No.K/287/2017, dated 7.4.2018 of Revenue Divisional Officer, Asifabad addressed to the District Collector, Kumuram Bheem Asifabad District, wherein it was reported at Sl.No.1 Smt.Jadhav Nirmala, D/o.Thukaram Ashapally Vg of Jainoor Mandal – local ST certificate issued is found genuine.
- xxix) Copy of report in Rc.No.C2/379/2016, dated 30.04.2018 of Collector & District Magistrate, Kumuram Bheem Asifabad District addressed to the Principal Secretary to Government, Tribal Welfare Department – wherein it was reported that the team consisting of Revenue Divisional Officer, Asifabad/ Kagaznagar, Tahsildars, Jainoor, Kagaznagar, Lingapur and Kerameri Mandals, P.Shankar, Sculptor and Smt.A.Leela, Field Investigator from TCR&TI deputed from Tribal Welfare Department enquired into and reported at Sl.No.1 that Local ST Certificate of Jadhav Nirmala, D/o.Tukaram R/o.Ashapally, Jainoor (M) is found genuine.
- xxx) Copy of GO Ms.No.14, TW (LTR) Department, dated 01.02.2021 – wherein orders were passed by the Government allowing the Appeal of Jadhav Valitha, D/o.Somla, R/o.Ashepally village of Jainoor Mandal – her cousin sister i.e. daughter of paternal uncle Somla – declaring that she and her family members have been continuously living in Ashepally, an agency village in Jainoor Mandal of Kumram Bheem Asifabad District since 26.1.1950 and accordingly treated as LST Certificate bearing No.C/362/2019, dt.9.8.2018, as valid. She has been selected for the post of SGT under the same 2017 Notification on par with the Appellant and also issued appointment orders.

4. In the reference 4th read above, Government after careful examination of the above said representation have been taken/admitted as Appeal under G.O.Ms.No.24, dated 12.06.2018 and copies of the were sent to the Collector & District Magistrate, Komuram Bheem Asifabad District and the Project Officer, ITDA, Utnoor, Adilabad District with a request to furnish connected records along with Para wise remarks to Government immediately, so as to conduct Hearing on 26.03.2022 at 3.00 PM.

5. In the reference 5th read above, a Notice has been sent to the Appellant to attend for hearing on 26.3.2022 at 3.00 PM before the Government to prove her claim along with documentary evidences.

6. Accordingly, the Appellant has attended for hearing on 26.3.2022 and submitted certain documents in support of her claim that she belongs to the local ST category of Agency Area in Jainoor Mandal of Komuram Bheem Asifabad District (erstwhile Adilabad District).

i) Family Tree duly Notarized

Vasram is great great grandfather. He has two sons namely 1) Valu 2) Bhasu (great grandfather of Appellant) 3) Baliram and 4) Bhojju.

Bhasu i.e. great grandfather of appellant has four sons namely 1) Lalsingh (grandfather of appellant) 2) Kistu 3) Bhikku and 4) Harichand.

Lalsingh i.e. grandfather of appellant has 11 children i.e. six sons and 5 daughters namely 1) Sakru 2) Lingu 3) Balu 4) Somla 5) Bheema and 6) Thukaram (father of appellant) and five daughters namely 1) Mangli Bai 2) Seetha Bai 3) Sakri Bai 4) Rangu Bai and 5) Shanu Bai.

Sri Thukaram i.e. father of appellant has four children (two sons and two daughters) namely 1) Dharamsingh (son) 2) Nirmala (daughter and appellant herein) 3) Vimala (daughter) and 4) Prem Singh (son).

- ii) Gram Panchayat Ashapally resolution dated 23.3.2022 – wherein it was resolved that Sri Lalsingh lived in their village from before 1945. He has six sons and five daughters. They used to eke out their livelihood by doing Podu cultivation, cattle-grazing etc. Sixth son of Lalsingh namely Sri Jadhav Thukaram lived in their village only and did not migrate to any other place. Sri Jadhav Thukaram has 2 sons and 2 daughters – both the sons namely Dharam singh and Prem singh are living in Ashapally village only while elder daughter Nirmala was married to R.Ravinder of Bheempur village in Narnoor Mandal while 2nd daughter Vimala was married to R.Vinod of Lingapur village in Sirpur-U Mandal. They unanimously declared that the above information is correct and confirmed the Agency Area Local ST status of the Appellant as Ashapally village in Jainoor Mandal.
- iii) Village Elders Declaration (Rathod Meghaji Naik, 85 years; Rathod Ramu, 75 years and Jadhav Kamlabai, 65 years; Kamble Jalba, 68 years and Kamble Venkati, 59 years – all residents of Ashapally village) recorded by Village Revenue Officer, Ashapally village – attested by the Mandal Revenue Inspector, Jainoor and Sarpanch, Grama Panchayat, Ashapally – wherein it was declared by the village elders that the Appellant Jadhav Nirmala, D/o.Jadhav Tukaram, her parents and grandparents have been continuously living in Ashepally village of Jainoor Mandal in Komurum Bheem Asifabad District from before 1950 doing agriculture labour/agriculture/daily labour etc.
- iv) Ashepally PESA Gram Committee Resolution - wherein it was resolved that the Appellant Jadhav Nirmala, D/o.Tukaram, R/o.Ashepally village of Jainoor Mandal, Komurum Bheem Asifabad District, her parents and grandparents have been continuously living in Ashepally village from before 1950 doing agriculture labour/agriculture/daily labour etc.
- v) Joint Resolution by PESA Gram Sabha and GP Ashepally dated: 23.3.2022 – wherein it was resolved that the family of Sri Jadhav Lalsingh, S/o.Bhasu has been living in Ashepally village from the year 1945. Jadhav Lalsingh has 11 children (6 sons and 5 daughters) namely Sakru, Manglibai, Sitabai, Sakribai, Lingu, Rangubai, Balu, Somla, Bhima, Shanubai and Tukaram and all are living in Ashepally village. The appellant J.Nirmala is also living in Ashepally village.

7. During the hearing on 26.03.2022, in the reference 6th read above, the District Collector, Komurum Bheem Asifabad has submitted the para wise remarks along with copies of connected record which was sent through DTDO Komurum Bheem Asifabad.

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8. Government after careful examination of the evidences produced by the Appellant before the Government it is found that the Collector & District Magistrate, Komurum Bheem Asifabad has already submitted a report to the Government, Tribal Welfare Department, TS, Hyderabad in his letter Rc.No.C2/379/2016, dt.30.04.2018 – wherein it was reported that the local ST certificate of Jadhav Nirmal, D/o.Tukaram, R/o.Ashapally, Jainoor Mandal, is found genuine. Moreover, the Government has allowed the Appeal of cousin sister of the appellant namely Jadhav Valitha, D/o.Somla (i.e. daughter of paternal uncle of the Appellant) and also issued orders in G.O.Ms.No.14, TW (LTR) Department, dated 01.02.2021. The evidences produced by the Appellant along with her Appeal and also before the Government on 26.3.2022 establish that the Appellant Jadhav Nirmala and her parents/grandparents have been continuously living in Ashepally, an agency village in Jainoor Mandal of Komuram Bheem Asifabad District from before 1950.

9. Therefore, the Appeal filed by the Appellant Jadhav Nirmala, D/o. Thukaram, R/o.Ashepally village, Jainoor Mandal, Komurum Bheem Asifabad District is hereby ALLOWED setting aside findings of the Scrutiny Committee communicated in Lr.Rc.No.T1/410/2021, dated -08-2021 of the Project Officer, ITDA, Utnoor and declaring her as belonging to the Agency Area Local Scheduled Tribe category of Ashepally agency village in Komurum Bheem Asifabad District and accordingly the Agency Area Local ST certificate bearing No.C/71/2009, dated 08.08.2018 issued by the Tahsildar, Jainoor is treated as genuine and valid.

10. The Collector and District Magistrate, Kumuram Bheem Asifabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT

To

The Collector and District Magistrate,
Kumuram Bheem Asifabad District.(RPAD)
Jadhav Nirmala, D/o Thukaram, R/o. Nandu Naik Thanda, Ashepally village,
Jainoor Mandal, Komurum Bheem Asifabad District – 504313 (RPAD)

Copy to:

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
The Project Officer, ITDA, Utnoor, Adilabad District
(for information & necessary action)
The District Educational Officer, Adilabad
(for information & necessary action)
The District Educational Officer, Kumuram Bheem Asifabad
(for information & necessary action)
The Deputy Director (TW), Utnoor, Adilabad District.
The Tahsildar, Jainoor Mandal, Komurum Bheem Asifabad District
The PS to Hon'ble Minister for ST Welfare for information.
The PS to Secretary (TW)
The PA to Special Secretary (TW)
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER